

**WASTE EVALUATION & ENFORCEMENT BRANCH CHIEF  
ACTION REQUEST**

**To:** Georgianne Turner, Branch Chief  
Waste Evaluation and Enforcement Branch

**From:** \_\_\_\_\_  
Debbie Knight, Acting Section Manager  
Solid Waste Enforcement Section

**Prepared By:** Michael Payan, Solid Waste Enforcement Section

**Request Date:** April 17, 2014

**Action By:** May 15, 2014

**Decision Subject:** Consideration of an Extension to the Compliance Schedule Due Date for a Facility included on the Inventory of Facilities that Violate State Minimum Standards (Inventory), Bass Hill Landfill, Lassen County (18-AA-0009)

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**SUMMARY**

On September 6, 2011, the Bass Hill Landfill was placed on the Inventory for ongoing violations of 27 CCR 20921 – Gas Monitoring and Control. On October 6, 2011, the Lassen County LEA (LEA) issued a compliance schedule to the operator with a final compliance date of September 6, 2012.

On September 5, 2012, the LEA granted an extension with a compliance date of September 6, 2013. The extension was needed to give the operator, Lassen Regional Solid Waste Management Authority (LRSWMA), additional time to investigate the extent of gas migration, negotiate the lease agreement with the California Department of Fish and Wildlife (CDFW), and install additional gas monitoring wells.

On June 26, 2013, the operator LRSWMA obtained a Right of Entry Permit from CDFW to install two new gas monitoring wells outside the landfill boundary in order to investigate the extent of landfill gas migration. Methane levels in these two new wells were also found to be above regulatory limits.

In August 2013, the LEA requested CalRecycle to grant LRSWMA a twelve month extension to September 6, 2014, due to these findings.

CalRecycle granted LRSWMA a conditional six month extension on September 23, 2013 until March 6, 2014. Since that time, the LRSWMA has conducted meetings and conference calls with CDFW, the LEA, and Bureau of Land Management (BLM) staff in an attempt to transfer jurisdiction

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of approximately fifty-one acres to the LRSWMA to create a buffer zone and allow the installation of additional perimeter gas monitoring wells.

To date, negotiations with CDFW have been successful and the LRSWMA anticipates the transfer of the buffer space land and additional gas monitoring well installation within the next six months.

### **OPTIONS**

1. Approve the six-month extension for the proposed compliance due date to September 6, 2014.
2. Deny the extension to the compliance due date.

### **ANALYSIS AND FINDINGS**

#### **Background**

The Bass Hill Landfill is operated by LRSWMA on land owned by Lassen County and the BLM. The landfill site encompasses approximately two hundred acres and is located at Johnsonville Dump Road and Highway 395 near Susanville. Lassen County owns forty acres and the other one hundred sixty acres is leased from BLM. Adjacent land use is zoned rural and is bordered on the East and South by State land controlled by CDFW, and to the North and West by land owned by the Federal Government. There are no businesses or residences within 4,800 feet of the facility.

In 2010, LFG-1 and LFG-2 monitoring wells were installed along the Eastern boundary of the site as part of the implementation of the approved gas monitoring plan. By April 2011, methane levels were measured above the 5% regulatory limit in both LFG-1 and LFG-2 wells. As a result, the facility was eventually added to the Inventory and the LEA issued a compliance schedule with a due date of September 6, 2012.

On June 26, 2013, LRSWMA installed monitoring wells LFG-3 and LFG-4 on adjacent CDFW property ninety five feet east of the existing landfill property line. As a result, both new wells were shown to contain methane in excess of the regulatory threshold of 5% by volume in air. Given these results, LRSWMA asked for additional time to negotiate the lease of more land from CDFW than was originally anticipated. To this end, a conference call was conducted with CDFW, BLM, LRSWMA, and the LEA to develop a plan to extend the Bass Hill Landfill permitted facility boundary beyond the zone of influence of the landfill gas.

CalRecycle granted LRSWMA a conditional six month extension on September 23, 2013 until March 6, 2014. Since that time, the LRSWMA has conducted additional meetings and conference calls with CDFW, the LEA, and BLM staff in an attempt to transfer jurisdiction of approximately fifty-one acres to the LRSWMA to create a five hundred foot buffer zone and allow the installation of additional gas monitoring wells.

Additionally, Tom Valentino, LRSWMA Manager has also been working closely with CalRecycle's Engineering Support Branch regarding the placement of the gas wells that will satisfy CalRecycle recommendations. The new monitoring wells are expected to be installed by mid-May 2014. These will be in addition to the gas monitoring wells previously proposed by the LRSWMA. The LRSWMA has also prepared and submitted monthly status reports and submitted an updated landfill gas remediation plan on January 29, 2014, as recommended, in the September 23, 2013 CalRecycle approval letter.

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On April 29, 2014, CalRecycle's Michael Payan of the Solid Waste Enforcement Section spoke with LRSWMA Manager Tom Valentino by telephone. Mr. Valentino stated that the five hundred foot buffer space acquisition from CDFW is now going forward as a "Land Swap" between CDFW and BLM rather than the lease option proposal.

The LEA believes the LRSWMA has conducted a good faith effort in attempting to bring the Bass Hill Landfill into compliance with the gas monitoring and control requirements.

As per Title 14, Section 18365(b) – The LEA is submitting a request to CalRecycle to grant an additional six month extension to LRSWMA to provide time to finalize negotiations with the respective Federal, State, and Local agencies, to install new perimeter gas monitoring wells, and apply for a revised Solid Waste Facility Permit to reflect the proposed changes to the permitted facility boundary. The new final compliance date will be September 6, 2014.

**FINDINGS:**

The operator has demonstrated significant progress in bringing the facility back into compliance. Additionally, the landfill gas issue was more extensive than originally assessed and some aspects of the "Land Swap" are out of the operator's control. Based on the factors set forth in 14 CCR 18084, the operator has made a good faith effort and the LEA is taking appropriate enforcement. Therefore, it is reasonable to grant the additional time to bring the facility into full compliance and to insure that their improvements to the facility's gas monitoring system, combined with changes to the permitted facility boundary, will be sufficient to adequately control the facility's methane gas generation.

**RECOMMENDATION**

CalRecycle staff recommend that the facility be granted a six-month extension to September 6, 2014.

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**BRANCH CHIEF ACTION:**

On the basis of the information in this Request for Action, I hereby issue, pursuant to 14 CCR, Section 18365(b), approval of a six-month extension to the owner and operator of the Bass Hill Landfill (18-AA-0009) to September 6, 2014.

Dated: 5/29/214



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Georgianne Turner  
Branch Chief  
Waste Evaluation and Enforcement Branch

Attachment (Request Letter)